0996187.060302 Attorney Docket No. 22510-501

Express Mail Label No.: EV Date of Deposit: June 3, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):

McCarthy et al.

APPLICATION

09/996,187

EXAMINER:

Not yet assigned

NUMBER:

FILING DATE:

Nov. 27, 2001

ART UNIT:

1645

For:

FUNCTIONAL PROTEIN EXPRESSION FOR RAPID CELL-FREE

PHENOTYPING

Assistant Commissioner for Patents Box Missing Parts Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

- 1. Response to Notice to File Missing Parts and Preliminary Amendment with Marked up Version of Specification showing Changes Made (Appendix A);
- 2. Combined Declaration and New Power of Attorney for Patent Application provided in two parts;
- 3. Sequence Listing consisting of a paper copy and two (2) duplicate computer readable diskettes;
- 4. Statement in Support of Computer Readable Form Submission Under 37.C.F.R. §1.821(f);
- 5. Copy of single Replacement Page illustration FIGs 1-3 (Appendix B);
- 6. Copy of the Notice to File Missing Parts;
- 7. Copy of the Filing Receipt with hand-marked changes (Appendix C); and
- 8. Check No. 12856 in the amount of \$184.00 (\$130.00 and \$54.00).

Respectfully submitted,

Michel M. Morency, Reg. No. 50,18

Attorney(s) for Applicants

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY

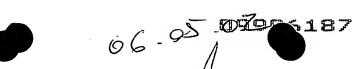
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PATENT TRADEMARK OFFICE







COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 www.uspto.gov

APPLICATION NUMBER

MINTZ, LEVIN, COHN, FERRIS

GLOVSKY and POPEO, P.C.

One Financial Center Boston, MA 02111

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/996,187

11/27/2001

Lawrence McCarthy

22510-501

CONFIRMATION NO. 3934

FORMALITIES LETTER

OC000000007753940*

Date Mailed: 04/01/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Q6/10/2002 HVUDNG1 00000046 09996187

FILED UNDER 37 CFR 1.53(b)

01 FC:105 02 FC:103

130.00 OP 54.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

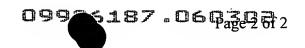
- Total additional claim fee(s) for this application is \$54.
 - \$54 for 17 total claims over 20.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 184.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible (see 37 CFR 1.84(o));
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after





September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase Patentin Software, call (703) 306-2600
- For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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IND CLAIMS

United States Patent and Trademark Office COMMISSIONER FOR PATENTS INITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 ION NUMBER FILING DATE **GRP ART UNIT** FIL FEE REC'D ATTY DOCKET NO TRAWINGS TOT CLAIMS 0 3 2002 S 11/27/2001 1645 1272 222510-501 34 RECEIVE **CONFIRMATION NO. 3934 FILING RECEIPT** APR 0 4 2002 IZ, LEVIN, COHN, FERRIS, GLOVSKY and POPEO, P.C. MINTZ LEVIN, BOSTON *OC000000007753939* One Financial Center PATENT DOCKET DEPT. Boston, MA 02111

Date Mailed: 04/01/2002

Done By

A Daya Entry

D Docket Entry

Docket Cross Off

Previously Entered ☐ No Docketing Req

□ ELITE

☐ Annuities

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) Laurence

Lawrence McCarthy, Great Falls, VA; Lilly Kong, Covina, CA; Tang Shao, Monterey Park, VA; Xin Su, Irvine, CA;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/253,150 11/27/2000 AND CLAIMS BENEFIT OF 60/297,686 06/12/2001

(*) Data inconsistent with PTO records. AND Claims benefit

Foreign Applications

of 60/304,533 7/9/01.

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Functional protein expression for rapid cell-free phenotyping

Preliminary Class